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INTERNATIONAL LEGAL MATTERS

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LICENSED & ADMITTED
SUPREME COURT OF THE UNITED STATES OF AMERICA
U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT
U.S. COURT OF INTERNATIONAL TRADE
OTHER U.S. FEDERAL COURTS
STATES OF NEW YORK & MICHIGAN ONLY
LONDON COURT OF INTERNATIONAL ARBITRATION

Via ECF

23 August 2023

Hon. Ona T. Wang, M.J.
United States District Court
500 Pearl Street
New York, NY 10007

Re: *El Omari v. Dechert LLP, et al*, Case No. 23-cv-04607 (S.D.N.Y.)

Dear Judge Wang:

This firm represents Oussama El Omari, Plaintiff in the above action. We write in response to a letter filed with the Court yesterday, August 22, 2023, by counsel for Defendants Nicholas Del Rosso and Vital Management Services, Inc. (Doc. 31). (the “Del Rosso Defendants”)

El Omari has agreed to the briefing schedule proposed by the Del Rosso Defendants. El Omari also does not oppose the request for a 30 page combined memorandum length if Plaintiff is granted the same page extension for a consolidated brief.

Although El Omari agrees that a stipulation to resolve his motion for preliminary injunction has not been achieved to date with the Del Rosso Defendants, the representation of the negotiations by counsel for the Del Rosso Defendants is not accurate. The sticking point is the Laptop alleged to contain the subject emails. El Omari’s motion remedy seeks to retain the status quo, which includes not manipulating the subject emails on the Laptop in any way. (see Doc. 6, ¶¶ 1, 2). However, the Del Rosso Defendants insist on moving forward with an *extraction* of the subject emails over El Omari’s opposition. This has prompted El Omari to threaten a sanctions motion if that occurs. If the Del Rosso Defendants will agree to the same stipulation as did Defendant Dechert, which means no extraction or manipulation of the subject emails on the Laptop at this time, then El Omari sees no reason why the parties cannot enter into the same stipulation to resolve the PI motion as to the Del Rosso Defendants. The undersigned will contact counsel for the Del Rosso Defendants to seek this agreement.

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Very Truly Yours,

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BY: /s/ Scott M. Moore

Scott Michael Moore
Attorney at Law
Counsel for Plaintiff, Oussama El Omari

cc: All counsel of record